



# REZONINGS

**Purpose:** The purpose of rezonings, including prezonings, is to ensure the orderly use and development of real property in conformance with the General Plan.

**Code Reference:** Fremont General Plan, Chapters 3 and 11; Fremont Municipal Code Title 8, Chapter 2, Articles 2 through 18.8 (the various zoning districts), Article 31 (Amendments) and Article 32 (Prezoning).

I understand that my plan review may be delayed if required materials are missing from the submittal package.

\_\_\_\_\_  
Project Applicant

\_\_\_\_\_  
Date

## Submittal Requirements:

Most rezonings require prior (or simultaneous) approval of a General Plan Amendment. See Information Sheet No. 11 for details.

### NOTE:

- Indicates an item which is always required.
- Indicates an item which may be required, depending on the project. The staff person who provides you this sheet will check (✓) the box if the item is required for your application.

- 1. A completed application form including:

Part I: Project information and the current property owner(s) signature authorizing the project proposal.

Part II Reimbursement Agreement with signature of the billing party acknowledging responsibility for charges.

Part III: A list of all consultants proposed to be involved with the project, or a statement that none are proposed to be involved.

Part IV: A statement signed by the applicant indicating whether the project site is found on the Hazardous Waste and Substances Sites List pursuant to California Government Code Section 65962.5.

Part V: Development Statistics

- 2. Two copies of a current legal description of the project site.
- 3. Plans including the following items:
  - a. Vicinity map showing a one-half mile radius of the site.
  - b. Accurately dimensioned site plan showing:
    - (1) Property lines
    - (2) Existing features of the property, including structures, private street easements and public street rights-of-way.
    - (3) Existing use(s) of the property.
    - (4) Development Reserve Boundary, Toe-of-the-Hill and Ridgeline, where applicable.
    - (5) Easements on the property
    - (6) All land uses surrounding the project site.
  - c. Tree Survey Plan showing the following:
    - (1) Existing and proposed site features, including but not limited to buildings, walls, paving, grading etc.
    - (2) Tree(s) trunk six-inch DBH (trunk diameter at 4.5 – feet above ground level) and larger located on plan by a licensed surveyor, and with accurate canopy outline.
    - (3) Trees labeled by number and tagged on-site per ISA standards.
    - (4) Summary table identifying botanical designation, DBH, and elevation of tree at ground level.

NOTE: Additional analysis by a certified arborist may be required pending review of tree survey and other required project plans. If not trees exist on site, provide a statement by the civil engineer or surveyor indicating this, as an alternative to the required tree survey.

- 4. The number of plans to be submitted with the application are:
  - a. Nine (9) sets of full-sized plans, collated and folded to a size NO LARGER THAN 8" x 13".
  - b. One (1) set of the plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".

Your project planner will request you submit the following materials 21 days before your public hearing or action date.

- c. Three (3) sets of full size plans.
- d. Twenty-four (24) sets of plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".
- e. CD-ROM with all the required plans in PDF format.

Full-size plans submitted should be no larger than 30" x 42".

- ☐ 5. Floor Area Ratio (FAR) calculations on provided worksheet. When the FAR is proposed to exceed the threshold provided in the General Plan, a separate application for a Finding will be needed.
- 6. Environmental Impact Assessment. Questionnaire.
- 7. Impervious Surface Calculation Sheet
- ☐ 8. A statement of Best Management Practices (BMP's) appropriate for the proposed development to prohibit pollutants from entering into storm water runoff. The BMP statement shall include measures for construction, long term operation, and maintenance of the project.

**Incomplete Applications:** An application is considered to be incomplete if any of the items checked on this information sheet have not been included. Processing of the application will be delayed until the submittal is determined to be complete.

**Hearing Notification:** The City will notify all property owners, as well as business and residential tenants within the appropriate radius of your project site. Most projects require a 300-foot radius, while some require 1,000-foot based on the sensitivity of the project and the level of community input anticipated or required.

As with all other costs, you will be billed for staff time to research, create and label the required postcards. If the public hearing is delayed for an extended period of time after notices for your project have been mailed, you will be charged the cost to re-mail postcards.

**Schedule Time Line:** An application will be assigned to a staff planner within a week of a submittal. A letter will be mailed to you identifying your project planner. During that time, the application will be routed to city staff and outside agencies for their review and comment(s). Approximately two weeks after a project submittal, the project will be reviewed by the City Technical Coordinating Committee (CTCC), for general ordinance and policy compliance. CTCC is made up of City staff, which determine whether application materials are complete and whether additional environmental studies are required.

An applicant meeting will be scheduled for approximately four weeks after the initial submittal. A letter will confirm the applicant meeting. The applicant and other project representatives should plan on attending this meeting. The meeting is with the project planner, who will discuss any issues identified by CTCC or outside agencies. The project planner will provide a letter identifying any issues with the project either at the meeting or within 30 days of the application submittal and will identify, if necessary additional material needed for the application.

Once the project planner deems an application complete, the application will be tentatively scheduled for a Planning Commission hearing date. The project planner will advise the applicant the necessary materials required for final submittal for the Planning Commission meeting. The final submittal is required 21 days before the hearing date to allow for review report preparation, and proper noticing. The applicant and other project representatives should plan on attending the Planning Commission hearing.

**City Council Hearing Date:** Planning Commission recommendations for approval are considered by the City Council approximately four to six weeks after the Planning Commission hearing. Rezoning require introduction and adoption of ordinances by the City Council at two separate hearings at least one week apart.

**Appeals of Planning Commission Action:** Appeals of Planning Commission action are considered by the City Council. Appeals to the City Council must be submitted in writing to the City Clerk within 10 calendar days of the Planning Commission action. Your appeal letter must be accompanied by a \$50 appeal fee and must set forth (a) the specific action appealed from, (b) the specific grounds of the appeal and (c) the relief or action sought from the City Council. For additional details regarding appeals to the City Council, contact the City Clerk's office, 3300 Capitol Avenue, Fremont, CA 94538, phone: (510) 284-4062.

### **Development Impact Fees:**

#### ***Commercial and Industrial Buildings***

Development impact fees may be assessed if your project involves new construction or additional floor area. If the project involves a change of use in a building, development impact fees may also be assessed. For example, a change from a warehouse to an industrial classification or a change from retail to an office would require Development Impact Fees be paid. A credit will be applied to the value of fees for the previous use category and a charge will be applied for the fees of the new use category. There are three categories of Development Impact fees assessed for commercial and industrial buildings: Traffic, Capital Facilities and Fire Protection Fees.

### ***Residential Developments***

New residential dwellings (single family and multi-family projects) always trigger payment of Development Impact Fees. In addition to the fee categories assessed for commercial and industrial buildings, new residential construction also requires the payment of Park Facilities and Park Dedication In-Lieu fees.

For further information on Development Impact Fees, please refer to the Development Impact Fee schedule available in the Development Services Center or speak with a Development Services staff member.

**Fees:** The minimum deposit for your application is \_\_\_\_\_ and is due at the time of submittal. The actual charge will be based on staff time required to process the application. Progress billings will be invoiced during the review of the project if charges exceed the minimum deposit. A refund will be invoiced at the completion of the project review if excess funds have been paid.

Requirements described on this sheet are subject to change. If you need additional information or clarification regarding your submittal please contact the staff person who furnished you this sheet for further assistance.

Information sheet furnished by: \_\_\_\_\_ Phone: (510) 494-\_\_\_\_\_

for proposal: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_